

UNITED STATES OF AMERICA)
)
 v.) **ORDER**
)
 FREDERICK DEMOND BATTLE,)
)
 Defendant.)

criminal history, including convictions for resisting a public officer, second-degree trespass, hit/run-fail to stop for property damage, driving while license revoked, possession of stolen goods, maintaining a vehicle/dwelling place for a controlled substance, selling and delivering cocaine, assault inflicting serious injury, possession of drug paraphernalia, flee/elude arrest with a motor vehicle, and domestic criminal trespass. See id. 23; PSR. His offense conduct involved a conspiracy to distribute a large amount of cocaine. See Sentencing Tr. 18, 21–23. Moreover, in the government’s response, the government makes clear that Battle has been sanctioned for possessing a cell phone and another unauthorized item while serving his 120-month sentence. See [D.E. 74] 4.

Having (again) reviewed the entire record, and having considered all relevant policy statements, the court continues to believe that Battle received the sentence that was sufficient but not greater than necessary under 18 U.S.C. § 3553(a). Battle is older than he was in 2010, but no wiser and no less dangerous. Battle’s early release would threaten public safety. Accordingly, the court denies Battle’s motion for a sentence reduction. See, e.g., Thomas, 546 F. App’x at 225–26; Perez, 536 F. App’x at 321.

In sum, Battle’s motion for a sentence reduction [D.E. 73] is DENIED.

SO ORDERED. This 17 day of August 2015.


JAMES C. DEVER III
Chief United States District Judge